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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GILBERTO NARANJO AVILA,

Defendant.

CR No. 08-276 MHP

STIPULATION AND ~~PROPOSED~~ ORDER
EXCLUDING TIME UNDER 18 U.S.C. § 3161

On May 5, 2008, the parties in this case appeared before the Court for the defendant's arraignment. At that time, the parties requested, and the Court agreed, to exclude all time under the Speedy Trial Act between May 5, 2008 and May 12, 2008 because the government will produce documents to defense counsel. The parties represented that granting the continuance was the reasonable time necessary for preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a

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1 continuance outweighed the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. § 3161(h)(8)(A).

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4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO
United States Attorney

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8 DATED: May 6, 2008

9 /s/
TAREK J. HELOU
Assistant United States Attorney


10
11 DATED: May 6, 2008

12 /s/
ELIZABETH M. FALK
Attorney for Defendant GILBERTO NARANJO AVILA

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14 For the reasons stated above, the Court finds that exclusion of time from May 5, 2008
15 through May 12, 2008 is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161
17 (h)(8)(A). The failure to grant the requested continuance would deny the defendant effective
18 preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C.
19 §3161(h)(8)(B)(iv).

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21 SO ORDERED.

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23 DATED: 5/7/08

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THE HONORABLE EDWARD M. CHEN
United States District Judge